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ABSTRACT

Now in its seventh year, the Illinois Youth Summit focuses on issues of violence affecting youth. On December 5, 2000, representatives from 21 high school classrooms across Illinois met to determine youth safety issues of greatest relevance to students across the state. These students identified three sources of violence to address at the 2001 summit: disproportionate minority confinement/racial profiling, guns, and public morality. On May 1, 2001, student teams representing 24 high schools will meet with policymakers at the 2001 Illinois Youth Summit to address these issues of violence. This resource guide is designed to help prepare teachers and students for the summit. The guide provides resources and tools for understanding pending or current legislation directly related to these issues. In addition to public policy analysis, the guide asks teachers to look at their own communities and design a service project to address one of these issues of violence. The guide, outlining a curriculum which requires from one week to one month to complete, rests on two premises: (1) No single solution can fix all violence-related concerns; and (2) Everyone has responsibility for protecting youth from violence, including young people. Contains a list of supplemental Internet resources. (BT)

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2001 Illinois Youth Summit

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Resource Guide for Students and Teachers

The 2001 Illinois Youth Summit is a program of the Constitutional Rights Foundation Chicago and is part of Youth for Justice, a national violence-prevention initiative sponsored by the United States Department of Justice through the Office of Juvenile Justice and Delinquency Prevention. Funding is provided in part through the Illinois Violence Prevention Authority and through the Office of Juvenile Justice and Delinquency Prevention of the United States Department of Justice. The views and statements expressed here do not necessarily reflect those of the Illinois Violence Prevention Authority, Youth for Justice, the Office of Juvenile Justice and Delinquency Prevention of the United States Department of Justice, or any other supporters of the 2001 Illinois Youth Summit.

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Introduction

What is the 2001 Illinois Youth Summit?

Youth have the power to bring about change. They have an important role to play in creating a safer and more just society. Giving students a voice in decisions that affect them is what the Illinois Youth Summit is all about.

Now in its seventh year, the Summit focuses on issues of violence affecting youth. On December 5, 2000, representatives from 21 different high school classrooms across Illinois met to determine youth safety issues of greatest relevance to students across the state. Together, these students identified three sources of violence to address at the Summit: disproportionate minority confinement/racial profiling, guns, and public morality.

On May 1, student teams representing 24 high schools will meet with policy makers at the 2001 Illinois Youth Summit, where they and policy makers will exchange ideas on what is being done and what might be done to address these issues of violence.

The following resource guide is designed to help prepare you for the Youth Summit. What follows are resources and tools for understanding pending or current legislation directly related to these issues. In addition to public policy analysis, you will be asked to look at your own communities and design a service project to address one of these issues of violence. The materials are intended to help you become familiar with the issues, think about current problems and solutions, and take steps toward resolving the problems of violence facing youth today.

Objectives

The purpose of the 2001 Illinois Youth Summit is to help you and other participating students:

- Learn about the nature and purpose of public policy in government;
- Analyze public policy at the local, state, and national levels relating to the three selected topics;
- Design and implement service projects in schools and communities which address guns, public morality, and/or disproportionate minority confinement/racial profiling; and
- Become actively involved in the culminating Youth Summit on May 1, either as a delegate or in helping to prepare a class delegation.

Lesson Scope and Design

The curriculum requires a week to a month to complete. You may want to assign one third of the class to each problem and then come together when all the groups have completed their work.

The resource guide is organized around two premises:

1. No single solution can fix all of our problems. We must plan for everyone, not just one population in a community. This "whole community" approach means thinking about a spectrum of responses to violence ranging from prevention to intervention to punishment.
2. Everyone has responsibility for protecting youth from violence, including young people. The lessons encourage thinking about how youth, as well as adults and various public and private agencies, can work to keep young people safe.

Public Policy

Public policy analysis—the examination and evaluation of how government accomplishes its objectives—is the foundation of this curriculum. The curriculum is designed to give you a chance to examine the process that government uses to respond to problems and get things done. In this guide, you will explore what public policy means and learn how to recognize examples of public policy. You will be introduced to a framework for evaluating different public policies. And you will have the opportunity to apply this framework to the actual policies addressed in the program.

Service Project

In addition to public policy, each unit includes various service options. The service projects are designed to help you think about the opportunities and responsibilities everyone has, as members of a community, to begin to make a difference. Learning by doing is one of the best ways to understand issues and to make a difference in the real world. By implementing a student-driven solution to a real world problem, you and your classmates can become "active citizens."

Each school participating in the Youth Summit will plan, conduct, and assess a service project, using either the projects suggested in the curriculum or one of their own design. Each school completing a service project will be recognized in the opening ceremony of the Youth Summit.

Preparing for the Culminating Summit on May 1

Your class will send a delegation to the Youth Summit on May 1 at the Dirksen Federal Building in Chicago. CRFC will notify you regarding the final number eligible from your school in the weeks before the Youth Summit. Select the delegation and remind them that they are both speaking for themselves and representing the ideas of everyone in the class. Which policies seemed the most promising? The least? How did the policies look in light of your service project and the results from the Youth Summit survey? If you disagree with one or more of the policies, what suggestions for alternatives do you have? Remember, the delegation also needs to be able to explain the service project conducted by your class. You may also want to have your delegation prepare a presentation after they return from the Youth Summit to share their experience with their classmates.

Unit One: Understanding Public Policy

Overview

This unit is intended to set the stage for the Illinois Youth Summit by defining and explaining public policy—what it is and how it works. The unit introduces G R A D E, a tool for evaluating current government policies on public safety and youth. This tool can be used to evaluate policies throughout the resource guide. The unit also includes the 2001 Illinois Youth Summit Survey, which is focused on questions specific to the policies included in this curriculum. Completion and submission of the survey is a requirement for each participating class in the Summit.

Objectives

- Introduce the basic purpose and structure of the 2001 Illinois Youth Summit.
- Generate a working definition of public policy.
- Promote a better understanding of where public policy comes from and how to analyze it to form an educated decision.
- Realize the impact of public policy on the school community and how to affect such policy decisions.
- Complete, tabulate, and report the results of the 2001 Illinois Youth Summit Survey.

Materials

1A: Making the G R A D E

1B: G R A D E Work Sheet

1C: 2001 Illinois Youth Summit Survey Instructions

1D: 2001 Illinois Youth Summit Survey

1A: Making the G R A D E

Introduce the purpose and structure of the Youth Summit. You can refer to the beginning of this guide, ask the representatives to the Student Advisory Committee to talk about their meetings, or both.

Explain that the three issues chosen by the Student Advisory Committee in December 2000 were problems of violence relating to guns, public morality, and disproportionate minority confinement/racial profiling. This guide is designed to help you understand these issues, learn about governmental policies designed to address these issues, and prepare recommendations and a service project for the culminating Summit on May 1.

Next, using the definition for public policy provided on 1B, "G R A D E," discuss public policy at your school using the example of guns. What rules are there? Who set and imposes them? What purposes do these rules serve? As a class, brainstorm situations at your school in which the administration has tried to deal with this issue.

Select three or four of the specific policies at your school. Break into groups and again look at 1B, "G R A D E." G R A D E stands for the five suggested steps anyone can use to analyze what the government is doing with a specific policy.

Have each group chose a reporter who will report their G R A D E analysis back to the class, focusing on these key questions:

- What problem is the policy addressing?
- Who stands to benefit and who may be hurt by the policy?
- Will the policy be effective in achieving its goal?
- What are the alternatives?

Extension: Invite an administrator (dean, principal) to come into the classroom during or following this activity to discuss the policies you selected and answer any questions you may have. In this way, you will be able to ask questions and raise concerns directly to the player(s) involved, much as students will do at the culminating Summit on May 1.

1B: G R A D E

"Public Policy is a plan of action, adopted by government, to solve a problem or reach a goal."

As citizens in a democracy, you'll be confronted with policy questions relating to all aspects of your life. Should you vote for a particular ballot initiative? Should music be censored? Should drugs be legalized? Government policies can profoundly affect our nation and your life.

In a democracy, you have a say on government policies and proposed policies. It's important that you take a critical look at them. Use the following GRADE test to evaluate a policy:

Goal. What is the policy and what is its goal? If you don't know what it's supposed to do, you can't measure its success or failure. Policies are designed to address problems. What problem or problems is this policy supposed to address?

Rivals. Who supports this policy? Who opposes it? Knowing the rivals can help you understand who the policy might affect and whether the policy favors special interest. Also, rivals are terrific sources for information. Be sure to check their facts though.

Advantages. What are the policy's benefits? What is good about the policy? Will it achieve (or has it achieved) its goal? Will it achieve the goal efficiently? Is it inexpensive? Does it protect people from harm? Does it ensure people's liberties?

Disadvantages. What are the policy's costs? What is bad about the policy? Is it inefficient? Is it expensive? Does it cause harm? Does it intrude on people's liberties? Are there any potential consequences that may cause damage?

Evaluate the alternatives. One alternative is to do nothing. Most serious problems have various policy proposals. Evaluate them. Look at their goals, advantages, and disadvantages.

Once you GRADE the competing policies, weigh their advantages and disadvantages and decide which you favor.

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1C: 2001 Illinois Youth Summit Survey Instructions

Pull out 1D, "2001 Illinois Youth Summit Survey." The Survey provides critical information necessary for the Summit itself. It is designed to reveal what you and other Illinois high school students think about public policy geared towards increasing youth safety, specifically relating to the three focus issues in this curriculum. If there is not enough time at the end of the day, the survey should be completed as homework. If possible, distribute the survey to other classes. Students can also complete the survey on-line at www.crfc.org.

When you have completed the survey, please tabulate the results. If you administer the survey to other classes, please tabulate and keep their results separate from your class's results. Send the results to the Constitutional Rights Foundation Chicago.

The deadline for reporting the results of the Illinois Youth Summit Survey is April 1. CRFC will combine your results with those from all the other schools participating in the Youth Summit. Contact CRFC at 312/663-9057 if you have any questions.

Please remember that conducting and reporting the survey is a **required** portion of the program.

Constitutional Rights Foundation Chicago

This survey is anonymous. Please answer as honestly as you can. Your opinions matter.

Describe your community:	Rural _____	Suburban _____	Urban _____		
Your Gender:	Female _____	Male _____	Your Age: _____		

I. GUNS

The Illinois Violence Prevention Authority has identified the availability of firearms as a significant factor contributing to violence. Increasingly, young people are gaining access to firearms, carrying them, and even taking them to school.

1. In general, do you favor or oppose stricter gun control?

   _____ Favor _____ Oppose _____ Don't know

2. Is there a handgun in your household?

   _____ Yes _____ No _____ Don't know

3. Do you agree or disagree with the following proposed policy: Illinois should require trigger locks on weapons in houses shared by children.

   _____ Agree _____ Disagree _____ Don't know

4. A major gun manufacturer sells realistic video games, without age restrictions, that teach how to load and shoot high caliber guns with the goal of killing as many people as possible. Do you agree or disagree with the following proposed federal policy: Congress shall enact a law that prohibits anyone under 16 from buying these video games.

   _____ Favor _____ Oppose _____ Don't know

II. PUBLIC MORALITY

Many people in the United States believe that there is a link between recent outbursts of violence among young people and the absence of clear definitions of what's right and wrong in American culture.

1. Thinking just about values and moral beliefs, do you agree or disagree that things in this country are going in the right direction?

   _____ Agree _____ Disagree _____ Don't know

2. Do you agree or disagree with the following statement: People with very strong religious beliefs are often intolerant of others.

   _____ Agree _____ Disagree _____ Don't know

3. There is an Illinois State law which *allows* for a brief period of silence for all students at the beginning of every school day. Do you agree or disagree that this law should be amended to *require* a brief period of silence?

   _____ Agree _____ Disagree _____ Don't know

4. Do you agree or disagree with the following proposed policy: Congress should make federal funding available to faith-based organizations to provide moral and character education in public schools.

_____ Agree _____ Disagree _____ Don't know

III. DISPROPORTIONATE MINORITY CONFINEMENT/RACIAL PROFILING

Confinement in the justice system is associated with future violence. Disproportionate minority confinement (DMC) for juveniles exists when the proportion in confinement (detention centers, jails, lock-ups) who are members of minority groups exceed their group's proportions for the general population. The Human Rights Watch reports that Illinois ranks #1 for number of African American males (adults) incarcerated for drug offenses.

1. Some experts point to "profiling" as the major cause of disproportionate traffic stops on minorities. While stopping a person solely because of race violates the 14th Amendment to the U.S. Constitution, many people believe that using race or ethnicity as one of several factors (partial racial profiling) is a valuable law enforcement tool. Do you agree or disagree with the following statement: Police should be allowed to consider race when deciding whether to stop someone.

   _____ Agree _____ Disagree _____ Don't know

2. The Illinois Juvenile Court Act mandates that youth who are 15 or 16 years old that are arrested for violations of the Illinois Controlled Substances Act within 1000 feet of a public housing property be automatically tried in the adult court. Do you agree or disagree with the following statement: This automatic transfer provision should be repealed so that any youth arrested for this offense is treated the same as other youth regardless of the community in which it occurs.

   _____ Agree _____ Disagree _____ Don't know

3. Seattle, Washington has formed a joint committee composed of its police department and citizens to investigate why a disproportionate number of minorities are arrested and detained and to develop a plan based on their findings. Do you agree or disagree with the following statement: The City of Chicago and other cities in Illinois with similar problems should form police/citizen committees like the one in Seattle.

   _____ Agree _____ Disagree _____ Don't know

4. Among other actions, the current federal Disproportionate Minority Confinement (DMC) mandate requires states to assess the reasons why juvenile DMC exists and to develop intervention strategies for DMC. Do you agree or disagree with the following: States must justify any over-representation of minorities at every stage of their juvenile justice systems. States not complying with this mandate will lose federal funding for youth programs.

   _____ Agree _____ Disagree _____ Don't know

This survey is also available on-line at www.crfc.org.

Unit Two: Guns

Overview

This unit addresses the issues of gun violence and gun control. Your student representatives chose this topic for this year's Youth Summit because of the prevalence of gun violence in the lives of many Illinois youth.

The focus of this unit is to provide you with information on some current legislation and issues dealing with gun control and violence. You will consider proposed legislation on trigger locks, and the issue of violence in gun manufacturers' video games. You will hear voices on both sides of these issues and then be given tools to analyze their arguments and the issues.

Focus Questions

Should legislation be passed that would require trigger-locks on all guns kept in houses that are shared with children?

Should Congress pass a law which would prohibit anyone under 16 from purchasing realistic gun manufacturers' video games which teach how to load and shoot high caliber guns with the goal of killing as many people as possible?

Objectives

- Learn to analyze political arguments.
- Assess current public policy and decide what Congress should do with legislation that is being proposed.

Materials

2A: Discussing Proposed Trigger-lock Legislation

2B: Philosophical Chairs

2C: Proposed Trigger Lock Legislation: Pros, Cons, and Questions

2D: Mock Legislative Hearing: Violent Video Games

2E: From Gun Games to Gun Stores: Why the Firearms Industry Wants Their Video Games on Your Child's Wish List

2F: New Law Restricts Violent Video Games in Indianapolis

2G: Consumers Say Violent Video and Computer Games Do Not Cause Violent Behavior

2A: Discussing Proposed Trigger-Lock Legislation

Overview

Much of the talk about policies and legislation is in the form of debate, where each side seeks through argument and counter-argument to persuade the other, with little time devoted to listening to what the other side has to say. There are often, however, broad areas of agreement where both sides can work together to forge the policies which they seek.

This activity is designed to help students practice the art of listening for deeper understanding to people with different views. In this activity, students will use it to explore different views on proposed trigger lock legislation.

Instructions

Have students sit in two groups, one for each side of the question, facing each other across the center of the room. A third group of students sits in the "neutral zone" at one end of the center area so that they can see both sides [e.g., the bottom of a "U" formation]. Students can choose or be appointed to each position.

Pass out 2C, "Proposed Trigger-Lock Legislation: Pros, Cons, and Questions." Have students in each advocacy group prepare what they believe are the best arguments. Have students in the neutral zone prepare the questions that they need to address in order to come to a conclusion about their position. [This step can be assigned as homework the night before.]

Pass out 2B, "Philosophical Chairs." Make sure everyone reads it before the start of the exercise. The teacher can call time-out periodically to clarify, reflect on the process or content, or refocus.

At the conclusion of the exercise, one student from each team will provide a summary of the viewpoints presented during the discussion by his/her team. A student in the neutral zone must take notes on both sides of the argument, and if his/her position changes, he/she must explain why he/she came to a new conclusion.

2B: Philosophical Chairs

- Students will address each other by their **first names**.
- A student must **briefly summarize** the previous speaker's points to that speaker's satisfaction before he/she begins his/her own comments.
- **Think** before you speak. **Organize** your thoughts and signpost. ("I have three points; first…")
- After a student speaks, he/she must wait until two students on his/her side have spoken.
- One speaker at a time; others are listeners.
- The teacher can call time-out periodically to **clarify, reflect on the process or content, or refocus.**
- Address the ideas, NOT the person.
- One student from each team will provide a summary of the viewpoints presented during the discussion by his/her team.
- A student in the neutral zone must take notes on both sides of the argument, and if his/her position changes, he/she must explain why he/she came to a new conclusion.

Developed by: Dale Fountain, Mount Tahoma High School, Tacoma, Washington.

2C: Proposed Trigger-Lock Legislation: Pros, Cons and Questions

Proposed Legislation

Trigger-locks should be required on guns in houses shared by children.

Pros:

- Education can only go so far. Kids are kids and will still use bad judgment.
- In 1997, guns killed 4,223 American children and teenagers 19 years of age and under. Of these gun-related deaths: 2,580 were homicides, 1,262 were suicides, 306 were unintentional and 75 were of undetermined intent.
- Having a gun in your house makes it three times more likely that someone will be killed there.
- It could decrease the rates of suicide and death/injury caused by domestic violence.

Cons:

- The law is not easily enforceable.
- It would result in the over-regulation of families.
- It would increase citizens' vulnerability to home invasions.
- It is based on wishful thinking, since the state where citizens may carry concealed weapons without a special permit (Vermont), also has the lowest crime rate in the nation.

Questions:

- Do you think this policy will significantly decrease the number of accidental gun deaths?
- Do you think this policy will result in a rise in home burglary, assault, and similar crimes?
- Is this policy fair?
- How might this policy be improved?
- What experiences or other evidence do you have to support your views?

2D: Mock Legislative Hearing: Violent Video Games

Proposed Policy

Congress shall enact a law that prohibits anyone under 16 from buying video games that teach the player how to use, load or shoot guns.

Activity

Divide into groups of three to five students. One group should take the role of Senator "Smith" and his/her staff members. The other groups should represent people in Senator Smith's state, including: The National Rifle Association, Gun Dealers, Video Game Player's Association, Police, and Mothers Against Handguns.

Ask each group to prepare their position using the following resources:

- 2E, "From Gun Games to Gun Stores: Why The Firearms Industry Wants Their Video Games On Your Child's Wish List"
- 2F, "New Law Restricts Violent Video Games In Indianapolis"
- 2G, "Consumers Say Violent Video and Computer Games Do Not Cause Violent Behavior"

Students also should incorporate their own ideas and other sources with which they are familiar.

After all groups have finished their preparations, the class should hold a public hearing. Each group should tell Senator Smith whether they support or oppose the proposed policy and why (no more than five minutes per group).

Senator Smith should discuss the problem with her/his staff and decide what to do. Either have the class watch as they deliberate or let them deliberate in one corner of the room. The other groups could reassemble and discuss how they think the Senator will vote. Senator Smith and his/her staff should explain their decision to the class.

Extension: Invite a guest legislator to observe the public hearing. The guest legislator can also discuss available options, considerations in making the decision, and any recent real life hearings on related topics.

2E: From Gun Games to Gun Stores: Why the Firearms Industry Wants Their Video Games on Your Child's Wish List

The gun industry has struggled with stagnant or shrinking sales for several years due to the saturation of its primary market of white males. According to the *General Social Survey* conducted by the National Opinion Research Center at the University of Chicago, the percentage of gun-owning homes dropped nearly 20 percent from 1977 to 1996. An advertisement for New England Firearms summed up the challenge facing the industry, "In effect, [the] greatest threat we face is the lack of a future customer base for the products which we all sell."

To meet this challenge the gun industry–working hand-in-hand with the National Rifle Association (NRA) –has targeted children as vital to the future of the gun culture in America, both as future customers and as political foot soldiers for the gun-control battles that lie ahead.

The latest assault in the gun industry battle for the hearts and minds of America's youth is the use of video games that put virtual guns in the hands of potential customers. Designed and marketed as children's toys and sold freely through channels such as eToys.com and Amazon.com, they are the newest marketing tools for attracting children to the gun industry. In fact, one game– *Remington Upland Game* Hunter – features an "On-line Catalog" of selected Remington firearms.

Scott Farrell, editor of *Guns Magazine*, outlined the thinking behind such video games, "What we need is a computer game which combines the use of a real handgun.. with state-of-the-art graphics and an exciting story... .A game like that would be an extremely effective vehicle to introduce safe recreational shooting to the video-game generation." Or, as the NRA urges on the cover of *InSights*, its youth magazine for members age 17 and under, "Get into shooting cyber style."

The gun industry's addition of video games to its youth marketing strategy is hardly surprising given the explosive growth in video game sales and the attractive demographic profile of video game players- 39 percent are under the age of 18 and 43 percent are women. In fact, the video game industry is the fastest growing segment of the U.S. entertainment industry. Retail sales of computer and video games have grown from $3.2 billion in 1995 to $6.1 billion in 1999. According to a survey by Peter D. Hart Research Associates, 60 percent of all Americans over the age of five-or 145 million people-play computer or video games.

Using video games offers several advantages over other youth marketing strategies employed by the gun industry. Through video games the gun industry is able to appeal to a larger and demographically more diverse audience-there are 145 million video game players versus 44 million gun owners, 43 percent of video game players are female versus nine percent of gun owners, and the average age of a video game player is 28 while the majority of gun owners are age 40 or older.

As a result, the gun industry is able to put "virtual" versions of their deadly products into the hands of children who are not legally eligible to purchase firearms and would be unreachable by more traditional means of marketing.

Despite the fact that children can't purchase guns from dealers, in many cases they *can* legally possess them. A 1998 poll conducted by *The New York Times* and CBS News found that 15 percent of American youths owned their own gun.[10] Renowned gun writer Grits Gresham summed up the situation in a 1993 column in the gun industry publication *SHOT Business:*

> Kids can't buy guns, you say? Well, yes and no. It's true that most students from kindergarten through high school can't purchase firearms on their own. But it's also true

that in many parts of the country, youngsters (from preteens on up) are shooting and hunting. Pop picks up the tab.

Video games featuring shooting have been played for as long as video games have existed. Typically, these games featured traditional hunting rifles or shotguns. Recently, as gun companies have lent their brand names to video games, the products featured have become decidedly more lethal. Shooting games now include fully automatic machine guns, assault weapons, and all types of handguns-from "pocket rockets" and "junk guns" to large-frame 50 caliber pistols. The industry sees these games as a means to introduce children to guns and the shooting sports, as well as an opportunity to engender brand loyalty.

As the guns have changed, so have the targets. Where once were stationary targets or perhaps a flock of ducks, now stand human targets or, as *Remington Top Shot* euphemistically phrases it, "interactive targets." *Colt's Wild West Shootout* instructs the player that "you're the law and you carry the firepower to back it up!," while *Soldier of Fortune* offers the more direct, "Meet interesting, exotic people from all over the globe, and dispatch them."

Recent school shootings and disturbing levels of youth firearms use have focused attention on the problem of youth gun violence. Clearly, there is a spectrum of factors involved, ranging from the remote to the proximate. In other words, some factors may only arguably contribute to the problem, but other factors most certainly do.

For example, some might argue that such cartoon violence as that seen in a typical "Road Runner" scene contributes at some level, however remote, to a desensitization of youth to the nature, meaning, and real-life consequences of violence. On the other hand, it is clear beyond doubt that real guns in the hands of troubled young people have been the immediate cause of countless tragedies, from lonely suicides to mass public shootings....

The games reviewed in this study lie at the more proximate end of the scale of factors for two reasons: they put surrogate firearms into the hands of children, thus closely approximating the real experience of shooting to kill. And they are intended to lure children into possessing real firearms. These should be of at least as much interest to parents, Congress, and others concerned about youth violence as the putative effects of music and motion picture images....

The gun industry has launched a campaign to attract children to the gun culture on several fronts:

- Advertising in magazines aimed at youth, such as *Boy's Life* and the NRA's own youth magazine *InSights*
- Funding the National Rifle Association's Eddie Eagle program-a marketing tool designed to put a friendly face on gun ownership disguised as a safety program.
- Designing smaller, lighter versions of their firearms which are marketed as youth models.
- Using public school wildlife management lessons to develop schoolchildren's interest in hunting and firearms.

At the NRA's 1996 Annual Meeting, then-President Marion Hammer outlined the NRA's agenda to "invest" in America's youth saying, "It will be an old-fashioned wrestling match for the hearts and minds of our children, and we'd better engage our adversaries with no holds barred. ...If we do not successfully reach out to the next generation, then the freedom and liberty that we've lived for-and that many of our ancestors have died for-will not live beyond us."

Source: Violence Policy Center, December 2000

2F: New Law Restricts Violent Video Games in Indianapolis

July 18, 2000, Indianapolis --- Coin-operated video games in which people are decapitated, dismembered, mutilated or maimed will soon be off-limits to children in Indianapolis.

Mayor Bart Peterson signed a violent video game law Monday, saying it was an opportunity for the city to put its foot down on what he called a burgeoning culture of violence.

The law requires coin-operated games featuring graphic violence or strong sexual content to have warning labels and be kept at least 10 feet from nonviolent game machines. They must also be separated by a curtain or wall so minors cannot view them. The law bars people under age 18 from such games unless accompanied by a parent or guardian.

Peterson called the law -- believed to be the first of its kind in a major U.S. city -- a necessary first step. "The importance of it is that it's an effort to begin to attack the culture of violence that I believe surrounds our young people these days virtually from the day they're born," the mayor said.

The law takes effect September 1. Businesses can be fined $200 a day for each violation. A business with three violations in one year could be forbidden from offering violent games or have its amusement license revoked.

Elliott Portnoy, an attorney representing national video game industry groups, said his clients are considering legal action against the city. "From the beginning the industry has believed that this ordinance is both unnecessary and unconstitutional," Portnoy said from his Washington office.

But the mayor said he believes the city has the power to enforce the law, just as it regulates arcades and other businesses that offer coin-operated games. "Without a city permit you cannot display, and make available for use, a video game," he said. "So that gives us the authority to say that if you're going to display them, you've got to display them a certain way."

A Purdue University professor believes there is little, if any, correlation between violent games and aggression in young people. "(The law's) not going to do any good," said John Sherry, an assistant professor of communication.

One of those who will be most affected by the law wasn't looking forward to it. "I think it's an OK idea, but I like playing some of the violent games, so I guess it kind of hurts me," said Stephen Prunier, 13.

Source: Associated Press

2G: Consumers Say Violent Video and Computer Games Do Not Cause Violent Behavior

May 24, 1999, Reston, Va. --- Fifty-seven percent of consumers disagree with the concept that playing violent video and computer games is likely to make people become violent, according to the latest online survey of public opinion conducted by independent research firm, PC Data.

Tracking of weekly sales of violent video and computer games has remained steady over April and May, confirming that consumers continue to buy violent games. "In the wake of last month's tragedy in Littleton, Colorado, many fingers have pointed to violence in computer and video games as being the cause for such irrational behavior," said Ann Stephens, president of PC Data. "However, our survey and retail tracking not only show that consumers believe TV violence is more of a threat, but that that there has also been no corresponding reaction by the market against the purchase of popular action games."

In the three weeks following the Littleton incident, 6% of total PC and video games purchased had violent content. The numbers were identical in the three weeks prior to the incident.

Violence in TV, Movies and Lyrics a Major Influence on Behavior

The survey found consumers believe that violence portrayed on television, in movies and in songs is seen to have a significant negative influence on behavior.

Asked to rate the effect that violence may have on behavior, 59% of respondents agreed that violence portrayed on TV and movies has a negative impact on how people behave, while only 43% believe that if people play violent computer and video games they are likely to become violent. However, the majority of respondents agreed that violent lyrics (58%) also negatively impacted how people behave....

Parents and Government to Take Greater Responsibility

While only 31% of all respondents said parents should prohibit children from playing violent computer and video games altogether, 52% said parents should limit the amount of time a child spends playing a violent game. Forty-six percent agreed with a suggestion that content rating levels be made mandatory by the government....

Source: *PC Data Online*

Guns: Suggested Service Projects

Conduct research on gun safety in your community. Some resources are available on the National Rifle Association web site, http://www.nra.org; other resources are available on the Handgun Control web site, http://www.handguncontrol.org. What policies has your community implemented to address the problem of gun violence? What policies make you feel safer? In what ways do you still feel unsafe? Prepare summaries of the policies that you believe are the most and the least effective, or create an alternative policy to address gun safety in your school/community. Submit your work and recommendations to your local government representatives.

Write a letter to your U.S. Representative and U.S. Senators in Washington or your State Representative and Senator in Springfield expressing your views about trigger locks and/or gun-related violent video games. Invite your legislator or a member of their staff to discuss the issue with your class.

Develop an alternative policy for dealing with the problem of gun violence in your school/community. Write up your idea, gather signatures of supporters, and submit your plan to your senator or representative.

Collect local, state and national statistics and testimonies about guns, violence committed with them or violence prevented by them. Compile, analyze, and present your findings. Share your findings with your school/community through a visual, audio, or video presentation.

Create a website on these and related issues for use by students. Send an email to the CRFC web master (coleman@crfc.org) so it can be linked to the 2001 Illinois Youth Summit web site.

Volunteer with a non-profit organization concerned with these issues.

"Trigger lock giveaway effort off to fast start," Bangor (Maine) Daily News, December 30, 2000
http://www.bangornews.com/cgi-bin/article.cfm?storynumber=26170

Center to Prevent Handgun Violence
www.handguncontrol.org
Source for congressional records, research, and news articles on gun issues

"Fable VI: Since firearm accidents are a large and growing problem, we need laws mandating how people store their firearms," *Fables, Myths & Other Tall Tales about Gun Laws, Crime and Constitutional Rights*
National Rifle Association
http://www.nraila.org/show.gci?page-/research/19990728-BillofRightsCivilRights-002.html

"From Gun Games to Gun Stores," Violence Prevention Center
www.vpc.org/studies/vidcont.htm

Colt Corporation (gun manufacturer)
www.colt.com
Produced an interactive gun-target video game

Remington Corporation
www.remington.com
Produced an interactive gun-target video game

Smith & Wesson (gun manufacturer)
www.smith-wesson.com
Produced an interactive gun-target video game

SpeakOut.com
www.speakout.com
Current news articles organized by issue

APBnews.com
www.apbnews.com
Current news articles organized by US states

Unit Three: Public Morality

Overview

An issue that was strongly debated by the Student Advisory Committee for the 2001 Illinois Youth Summit was a perceived link between violence among young people and the moral state of American society. Some of the students argued that moral education should be available in public schools, while others questioned this proposal by raising the issue of the constitutional separation of church and state.

In this unit you will consider these same issues of public morality and the constitutional separation of church and state. First you will read about past and current decisions of the U.S. Supreme Court concerning the separation of church and state. Then you will consider two legislative proposals addressing public morality which raise the church/state issue.

Focus Questions

Should the Illinois State law which *allows* for a brief period of silence for all students at the beginning of every school day be amended to *require* a brief period of silence?

Should Congress make federal funding available to faith-based organizations to provide moral and character education in public schools?

Objectives

- Analyze decisions of the U.S. Supreme Court dealing with religious freedom, identify competing interests and suggest resolutions to the conflicts.
- Understand the tests used by the U.S. Supreme Court to determine whether a particular case violates the First Amendment to the U.S. Constitution.
- Recognize the interrelationship between the free exercise and establishment clauses of the First Amendment to the U.S. Constitution.
- Formulate and defend a reasoned position on Survey issues including moment of silence legislation and federal funds to faith-based organizations.

Materials

3A: Religion and the Public Schools: U.S. Supreme Court Decisions

3B: Religion and the Public Schools: Answer Key

3C: Applying *Lemon, Mergens*, and *Weisman*

3D: Moral Education in the Public Schools

3E: Moral Education in the Public Schools: A Primer

3F: Chicago Students Head Back to School with Ten Commandments on Books

3G: Ten Commandments Book Cover

3A: Religion and the Public Schools: U.S. Supreme Court Decisions

The First Amendment to the United States Constitution reads:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Below are three cases that involve government action and religious expression. For each case, decide whether the expression/action is

- Protected by the First Amendment's speech clause, (***protected – speech***)
- Protected by the First Amendment's free exercise clause (***protected – free exercise***), or
- Prohibited by the First Amendment's establishment clause (***prohibited – establishment***).

Give your reasons.

1. A state law authorizes a one-minute period of silence in all public schools "for meditation or voluntary prayer." _____

2. A group of high school students applies to the school principal to form a prayer club. The group agrees to follow the rules required of student clubs which meet twice a week at the beginning of the school day during an activity period. A faculty member volunteers to supervise the group. The school system denied the students' request. _____

3. A middle school principal invites local members of the clergy to offer an invocation and benediction each year at graduation. The principal provides the clergy with guidelines prepared by the National Conference of Christians and Jews to ensure that the prayers are inclusive and appropriate for public ceremonies. _____

Adapted from: *Street Law: A Course in Practical Law*, 6th edition, chapter 40, pp. 463 – 465

1. Prohibited by the First Amendment's establishment clause

Wallace v. Jaffree, 472 U.S. 38 (1985).

In the case of *Wallace v. Jaffree*, the Supreme Court held that a state law authorizing a one-minute period of silence in public schools was unconstitutional as a violation of the First Amendment's establishment clause. Using well-established guidelines set out in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), the Supreme Court determines the constitutionality of a statute under the establishment clause through a three-part test. First, the statute must have a secular purpose. Next, the principal or primary effect of the statute may not advance or inhibit religion. Finally, the statute may not foster excessive government entanglement with religion. In this case, the court found that the statute failed on the first prong of the test. The legislative intent and purpose of the state law was to advocate religion and return voluntary prayer back to the public schools. This purpose was clearly not secular. Therefore, the law was in violation of the establishment clause under the First Amendment.

2. Protected by the First Amendment's free speech clause

Board of Education of Westside Community Schools v. Mergens, 496 U.S. 226 (1990).

Using the Equal Access Act of 1984, the Supreme Court, in the case of *Board of Education of Westside Community Schools v. Mergens*, held that the denial of students' requests to form a prayer club was a violation of the students' First Amendment speech rights. Applying the Act, the Court found that once the school maintained a "limited open forum" for non-curriculum related student groups, it was prohibited from keeping other groups from forming clubs based on the content of their message, even prayer clubs. At the heart of the decision, the Court found that the Equal Access Act was not a violation of the establishment clause because it provided for equal access to both secular and religious speech and did not have the primary effect of advancing religion.

3. Prohibited by the First Amendment's establishment clause

Lee v. Weisman, 505 U.S. 577 (1992).

In *Lee v. Weisman*, the Supreme Court held that officially sponsored invocations and benedictions at public school graduations violated the First Amendment ban against government establishment of religion. In this case, the school (acting as a government party) had the effect of coercing students into participation in religious exercises when they sponsored prayers at a school event. By the direction and advice of school officials that the prayers be nonsectarian, their acts constituted control of the prayers' content and school entanglement with religion, which effectively violated the establishment clause.

3C: Applying *Lemon*, *Mergens*, and *Weisman*

Focus Policy

Should the Illinois State law which *allows* for a brief period of silence for all students at the beginning of every school day be amended to *require* a brief period of silence?

Instructions

Divide the class in three groups. Ask each group to apply one of the cases on 3B, "Religion And The Public Schools: Answer Key," to the proposed change in Illinois law (*Note*: This law has not been officially proposed in Springfield).

Each group is responsible for listing its reasons and selecting three representatives to present their position.

Have the groups make their presentations, alternating one representative from each group.

Questions for Discussion

What are the strengths and limitations of each test?

Which test did you find more useful? Which was more compelling?

What might prove a more useful test?

3D: Moral Education in the Public Schools

Moral education in public schools is as old as public schools themselves in this country. Early in American history, moral education in public schools was distinctly Protestant Christian in tone. In the 20th century, following decisions by the U.S. Supreme Court, most public schools moved away from the explicit teaching of moral behavior, whether in a Protestant, religious, or even non-religious context. Today, some people believe that public morality – what our society thinks is right and wrong – has suffered.

In this activity, you will have the opportunity to consider and discuss some of the perspectives people have on this question. You will then read about and discuss a specific initiative, called "Operation 10," that promotes book covers for public school students that feature the Ten Commandments from the Old Testament (Hebrew Bible). Finally, you will assess a proposed federal policy for funding faith-based groups to conduct moral and character education in the public schools.

Activity

(1) Distribute 3E, "Moral Education in the Public Schools: A Primer." Have everyone read the statements, then break the class into pairs and have them review each statement, selecting those which they find most compelling. Remind everyone that it is all right to select statements that come from "both sides of the aisle." Allow 10-15 minutes for students to work through the statements.

(2) Distribute 3F, "Chicago Students Head Back to School with Ten Commandments on Books", and 3G, "Operation 10 Book Covers." Have everyone read through the handouts and then decide, *for the purposes of discussion*, whether they support or oppose the initiative.

(3) Distribute 2B, "Philosophical Chairs," and follow the instructions for conducting a discussion like the one in Unit 2 on the proposed trigger-lock policy.

(4) Consider the following proposed federal law (*Note*: This law has not been officially proposed in Congress or by President Bush):

Should Congress make federal funding available to faith-based organizations to provide moral and character education in public schools?

Have the class divide into supporters and opponents of the policy. Using Handout 1B, "GRADE," and ideas from the discussion above, each group will create a report (not more than 250 words) of recommendations on the proposal. The class report will include both majority and minority recommendations and not exceed 500 words.

3E: Moral Education in the Public Schools: A Primer

Below are some statements concerning moral education in the public schools. Read each statement and think about it carefully. With a partner, select those reasons with which you agree. You may agree with reasons supporting more than one perspective.

- Government has no business telling children what to believe about matters of conscience. Choices of belief belong with parents and, when they are older, young people themselves.
- To exclude faith-based groups from teaching moral education is like excluding Isaac Newton from a course on physics. Religious teachings are the foundation of our morality.
- In order to allow faith-based groups into public schools, the government will have to decide what is a "real" religion. Schools will have to decide whose religion is more important, with minority or unpopular religions always at a disadvantage. Thus, the schools will promote government's intrusion into the most personal choices of conscience.
- To ban faith-based groups from helping promote public morality in schools simply because of their beliefs is unconstitutional discrimination based on viewpoint.
- Faith-based groups have no monopoly on morality. To limit participation only to faith-based groups and not other groups with distinct cultural or socioeconomic teachings amounts to unconstitutional discrimination based on viewpoint.
- If faith-based groups can receive federal funding to provide essential social services, then it seems reasonable that they should receive funds to do what they know best: helping people make moral choices.
- Private schools, religious or otherwise, have been a choice for American children since before the Revolution. If moral education is so important to faith-based groups, they – not the public – should pay for their specific teachings in their own schools.
- If faith-based groups are to teach morality in public schools, they will have to create a watered-down doctrine that is so general that it does not provide real guidance. This is the very kind of teaching that people criticize today in public education.
- If faith-based groups teach morality in public schools, they will have to find a way to cooperate and work together. Their example alone is reason to support the idea.
- Separation of church and state strengthens both. To encourage faith-based groups to joust for position and resources within the public schools will lead to the politicization of religion – the very problem the First Amendment was designed to prevent.
- Faith-based groups often are the only vital institutions in a community. Denying them a voice on such critical issues further isolates public schools from those who could help the most.
- "Love your neighbor," "do not murder," or "do not steal" are universal values. Faith-based groups can provide critical validation for these teachings among young people. Students can understand where the universal values stop and their own distinct beliefs begin.
- If "do not murder" and "do not steal" are indeed universal values, then faith-based groups are not necessary to teach them. If the values must be taught through the unique teachings of Jesus, Buddha, Mohammed, or Zoroaster, then that violates the First Amendment.

3F: Chicago Students Head Back to School with Ten Commandments on Books

August 16, 2000, CHICAGO, Ill. - A Chicago-based family television network - leading a multi-faith coalition of about 240 Jewish, Catholic and Protestant organizations - will kick off the school year by distributing 100,000 free book covers and folders emblazoned with the Ten Commandments to students.

And the public school chief approves - as long as they distribute covers off school grounds.

In a signal of smarter navigation by religious organizations of Church-State boundaries, the coalition carefully avoided crossing lines that would politicize the distribution of the book covers, even moving today's kick-off press conference and rally outside school property, despite assurances from officials that the event could be held at an elementary school. Instead, the coalition held its rally for "Operation 10" in front - but not on the grounds - of Von Humboldt Public Elementary School, located in an ethnically and economically diverse neighborhood, where about 150 religious leaders and students gathered in support of the effort.

"This is not a Church-State issue, it's about freedom of expression," said Jerry Rose, president of the Total Living Network, which spent about $30,000 to design and produce the book covers that list the Ten Commandments in modern English along with inspirational quotes from role models such as Abraham Lincoln and Oprah Winfrey. "We're giving students a personal choice to decide if he or she will take to school this daily reminder of God's original 'Top Ten' list."

In an election year full of talk about faith-based solutions to America's problems, the Chicago initiative is a sign of closer cooperation between religious groups and local governments. Both the public school chief and local Alderman of the ward where the rally was held were very vocal about their support.

Chicago Public Schools Chief Paul Vallas told the Sun-Times on Monday the book covers are in keeping with the system's current character and values education push. In an earlier statement of support for "Operation 10," Vallas told planners, "Years ago, I invited members of the religious community to become more involved in public education - in order to positively influence Chicago children. I support the Ten Commandments Book Cover project 100% as long as public funds are not used to produce it and it is distributed to students via churches, organizations and concerned people outside the schools." And at today's rally, Wilfredo de Jesus, Vallas' assistant, conveyed the school chief's support of the project.

"I think there is a huge gap between what is Constitutionally permissible and what is actually practiced in most school districts today," said Rose. "We're saying, let's respect the boundary between Church and State, but also be reasonable about finding ways for people of faith to get plugged into the system. After all, what school in America would have a problem with 'do not murder' or 'do not steal?'"

William Dillon, founder and executive director of Inner City Impact, a Christian ministry that works with children and teens in the Humboldt Park neighborhood, spoke passionately of the need for the project. He asked the crowd to remember sixth-grader Miguel de la Rosa, who was shot and killed last month by gang crossfire not far from the school. Dillon had led Miguel in a Bible study just hours before he was killed and continues to tutor Miguel's brother. "I guarantee that if you talk to his mom, she would tell you she wishes Miguel's killers had operated their life under these values."

Rev. Michael Pfleger, a Catholic priest at St. Sabina Church in Chicago, said he thinks even people who do not practice Judaism or Christianity would agree with the actual values

represented in the Ten Commandments. He said his Muslim friends had no objections to the book covers. "If they are not acceptable to some because of their mention of God, then should we take the Pledge of Allegiance out of our classrooms, which says we're a nation under God? Then should we take the Declaration of Independence out of our classrooms, which refer to God four different times? It's time to be concerned with the whole development of our children - developing their minds, their character and their values - and equipping them to become productive members of our society."

Rabbi Yechiel Eckstein, founder and president of the International Fellowship of Christians and Jews, also supports the project. "I am thrilled with TLN's leadership role in helping imbue our children with greater moral values and heartily endorse its program providing book covers to students in a Constitutionally legitimate manner. I hope this program will have the impact we all seek of bringing up a generation of youth not only educated with facts but inculcated with sound moral values."

Rose said 100,000 of the book covers and folders, which bear the Ten Commandments against a backdrop of a star-studded sky overlooking Earth, will be distributed by the end of September. In addition to the churches and organizations that will distribute to students, many students are volunteering to pass out the book covers to their peers - off of school grounds - during the first week of school.

"This is not about conflict, it's about contribution. This is about reinforcing our community's moral ideals - values that are universally accepted - in order to help our students develop their own personal moral code," said Rose. "We believe this is the best way we can start the school year, and based on the positive response from students so far, we think they agree."

Source: *Total Living Network*, www.tln.com/press/view.html

Handout 3G: "Operation 10" Book Covers

Total Living Network has created a book cover and folder to provide Chicago area students a daily reminder of the original top ten list for the soul when they head back to school.

Over a colorful view of earth from outer space, positive quotes from famous Americans are complemented by a modern wording of the Ten Commandments. Along with community leaders, parents and clergy, TLN plans to distribute these colorful and inspiring book covers and folders to over 100,000 children this fall.

A unique way to remind students of the principles that will enable them to make better choices, the book cover and folder feature a modern version of the Ten Commandments on the front:

Only worship the one true God.

Do not worship idols.

Do not misuse God's name.

Remember the Sabbath day and keep it holy.

Show respect to your father and mother.

Do not murder.

Be faithful in marriage.

Do not steal.

Do not tell lies about others.

Do not want anything that belongs to someone else.

On the reverse are quotes from heroes and commendable role models that promote good thinking:

"A man may die, nations may rise and fall, but an idea lives on." - John F. Kennedy

"You have to expect things from yourself before you can do them." - Michael Jordan

"If you tell the truth, you don't have to remember anything." - Mark Twain

"We must learn to live together as brothers or perish together as fools." - Martin Luther King, Jr.

"Hold the highest vision possible for your life and it can come true." - Oprah Winfrey

"You cannot escape the responsibility of tomorrow by evading it today." - Abraham Lincoln

Source: Total Living Network, http://www.tln.com/operation10.html

Public Morality: Suggested Service Projects

Research your school's policies on character education. If your school has a policy to implement or teach character education, how do they do it? Is there a class? Is it part of the overall curricular goals? When was the policy implemented? Does it work? For example, have there been fewer incidents of violence? Do students report getting along better? Is there less intolerance? Prepare summaries of the policies that you believe are the most and the least effective, or create an alternative policy to address public morality in your school. Submit your work and recommendations to your school principal, local school council, or board of education.

Write a letter to your U.S. Representative and U.S. Senators in Washington or your State Representative and Senator in Springfield expressing your views about public morality and the participation of faith-based groups in public schools. Invite your legislator or a member of their staff to discuss the issue with your class.

Develop an alternative policy for promoting a stronger sense of right and wrong among students for your school/community. Write up your idea, gather signatures of supporters, and submit your plan to your senator or representative.

Survey students who participate in faith-based youth activities. Collate and assess their experiences and draw conclusions on promoting a stronger sense of morality that are based on your research. Convene a forum to discuss your findings in your school or community. Invite religious and political leaders to comment and respond.

Create a website on these and related issues for use by students. Send an email to the CRFC web master (coleman@crfc.org) so it can be linked to the 2001 Illinois Youth Summit web site.

Public Morality: Selected Internet Resources

Internet:

"Operation 10," Total Living Network
www.tln.com/operation10.html

"Public Schools & Religious Communities: A First Amendment Guide"
www.freedomforum.org/newsstand/brochures/prinschools_communitites.asp

Board of Education of Westside Community Schools v. Mergens, 496 U.S. 226 (1990)
www.laws.findlaw.com/us/496/226.html

Lee v. Weisman, 505 U.S. 577 (1992)
www.laws.findlaw.com/us/505/577.html

Lemon v. Kurtzman, 403 U.S. 602 (1971)
www.laws.findlaw.com/us/403/602.html

Wallace v. Jaffree, 472 U.S. 38 (1985)
www.laws.findlaw.com/us/472/38.html

Law.com
www.law.com
Court filings and news articles on legal cases organized by state

Illinois State
www.state.il.us
State laws and agencies

Public Agenda
www.publicagenda.org
Non-partisan source of public opinion and policy analysis organized by issue

Beliefnet
www.beliefnet.net
Information, public opinion and forms on multi-faith topics

People for the American Way
www.pfaw.org
Leftist information and news source

American Civil Liberties Union
www.aclu.org
Information and news relating to Congress and civil rights issues

Unit Four: Disproportionate Minority Confinement/Racial Profiling

Overview

Throughout the United States, a disproportionate percentage of racial minorities become caught up in the juvenile and criminal justice systems. It would be easy to simply attribute this large discrepancy to the notion that people of different racial groups commit different types of crimes. Yet data suggests that this is not the case, particularly among young people.

Disproportionate minority confinement (DMC) raises difficult issues for the American criminal justice system. It threatens victim cooperation with police and prosecutors, the participation of minority jurors, and the validity of judicial decisions among members of minority and majority communities alike. Most fundamentally, it challenges the basic American assumption that everyone receives "equal justice under law."

In this unit you will explore and assess two different aspects of disproportionate minority confinement. You will look at the practice of racial profiling which some experts consider as the major cause of disproportionate traffic stops on minorities and a resulting skew in the racial composition of those charged, convicted and incarcerated. You also will examine current trends and controversies relating to juveniles in detention, particularly the disproportionate number of minority youth in confinement despite arrest rates similar to those of white offenders.

Focus Questions

Should the police be allowed to consider race when deciding whether to stop someone?

If in Chicago or other cities in Illinois a disproportionate number of minorities are arrested and detained, should the City of Chicago or other cities form police/citizen committees to investigate why and to develop a plan based on their findings?

Should the transfer provision of the Illinois Juvenile Court Act, which mandates that youth who are 15 or 16 years old that are arrested for violations of the Illinois Controlled Substances Act within 1000 feet of a public housing property be automatically tried in the adult court, be repealed so that any youth arrested for this offense is treated the same as other youth regardless of the community in which it occurs?

Should Illinois be compelled by the federal government to justify any over-representation of minorities at every stage of their juvenile justice systems or lose federal funding for its youth programs?

Objectives

- Examine what role race plays in the criminal justice system
- Identify common public attitudes about law enforcement.
- Explain racial profiling and disproportionate minority confinement and express a reasoned opinion on what should be done about these issues.
- State and support reasoned opinions about proposed policies and legislation. Propose alternative policies where appropriate.

Materials

4A: The Limits of Authority: Racial Profiling

4B: What Should Be Done About Profiling?

4C: Responding to Disproportionate Minority Confinement

4D: The Color of Justice

4E: Juvenile Justice: Current Trends and Controversies

4A: The Limits of Authority. Racial Profiling

For many years, blacks and other minorities have complained that police often target minority drivers, pulling them over for minor infractions or no reason at all and often subjecting them to humiliating car or body searches. Christopher Darden, an African American and former prosecutor, has been stopped many times by police. He said that "to be pulled over for no good reason is very offensive. But then to be asked for consent to search your vehicle just ratchets things up another notch. And in those situations where you've been forced out at gunpoint or you've been asked to spread out on the street, to lay out on the pavement, makes you boiling with anger."

John Lambeth of Temple University conducted a study to determine whether blacks were being targeted on the New Jersey Turnpike. He found that African Americans made up 13.5 percent of highway users and 15 percent of the speeders, but he found that they represented 35 percent of those stopped by police. They were almost five times more likely to be pulled over as other drivers. Similar results were found in studies conducted in Maryland and Florida.

Other minority community members complain that they too are stopped and questioned by authorities for no good reason. Latinos protest that they are targeted at Border Patrol checkpoints within the United States, and Arab-Americans claim that they are often detained for long periods by airport security, especially after some terrorist scare.

Pulling over a car, or stopping a person, solely on the basis of the driver's race violates the 14th Amendment to the U.S. Constitution, which guarantees equal protection under the law. If proven, it would invalidate an arrest or the use of any evidence seized from the driver. Federal civil rights laws outlaw it and several states have passed laws specifically against this practice.

The more difficult question arises over police officer discretion in deciding who to pull over. In the 1996 case of *Whren v. U.S.*, the U.S. Supreme Court unanimously ruled that police may stop a car for any traffic or equipment violation even if they have a different motivation for making the stop, such as the suspicion of drug trafficking.

Some experts point to "profiling" as the major cause of disproportionate traffic stops on minorities. Profiles are systems used by police to predict criminal behavior. Some use scientific methods and statistics to develop a list of factors that make up a profile of a potential suspect. They might include age, location, type of car, time of day, driving patterns, route of travel, and whether the driver is alone. Profiles can also target white citizens. For example, a police officer might be more likely to pull over a late-model car for a minor traffic violation if it were driven by a white youth at night in an inner-city neighborhood where drug dealing occurs. In this case, the driver might fit a profile of someone who is likely trying to buy drugs.

There are two types of racial profiling—full and partial. A full racial profile is when race is the only factor that causes an officer to stop someone. As mentioned above, this practice is unconstitutional, illegal, and universally condemned. Even so, many minorities complain that it happens all the time. Police officials disagree and say the practice is not widespread.

In 1999, Connecticut and North Carolina passed laws requiring police to keep track of the race and ethnicity of everyone they stop. The data will be forwarded to experts to analyze whether and to what extent officers are targeting people on the basis of race or ethnicity. These laws are widely supported by minority leaders. Walter Wilson, legislative director of the National Association for the Advancement of Colored People, has stated: "The NAACP believes that comprehensive data collection is critical to the process of ending racial profiling. Without data collection, there is no progress on this issue."

Other states and the federal government are considering such laws. But strong opposition to these laws has come from police groups. They argue that stopping people is already hazardous and forcing officers to ask people about their race and ethnicity will needlessly lengthen stops and inflame the situation. They also don't think the statistics will prove anything because people stopped will probably reflect the racial makeup of the community they are stopped in. They believe that instead of collecting data, all allegations of officers targeting minorities should be thoroughly investigated.

Another set of issues concerns partial racial profiling, where race or ethnicity is one of several factors. Many people support this type of profiling. They argue that it is an effective law-enforcement tool. Bernard Parks, chief of the Los Angeles Police Department, has stated: "We have an issue of violent crime against jewelry salespeople. . . . It's a collection of several hundred Colombians who commit this crime. If you see six in a car in front of the Jewelry Mart, and they're waiting and watching people with briefcases, should we play the percentages and follow them? It's common sense." Parks is an African American. He sees nothing wrong with partial racial profiling.

Randall Kennedy, a law professor at Harvard, opposes using race as a factor in profiles. He doesn't think that police necessarily use this practice because they have racist motives. He thinks they may believe it is an effective law-enforcement tool, and Kennedy believes they may be right. But Kennedy points out that many innocent people get stopped by police using these profiles. And, he says, they often don't just get stopped once, but many times. This, he says, causes great anger and alienation. "Alienation of that sort gives rise to witnesses who fail to cooperate with the police, citizens who view prosecutors as 'the enemy,' . . . and jurors who yearn to 'get even' with a system that has, in their eyes, consistently mistreated them. For the sake of better law enforcement, we need to be mindful of the deep reservoir of anger toward the police that now exists within many racial minority neighborhoods. Racial profiling is a big part of what keeps this pool of accumulated rage filled to the brim."

For Discussion

1. A bank is robbed and the suspect is described as an Asian woman driving a red sports car. Police start looking for such a suspect. Is this a racial profile? Explain.
2. What is the difference between *partial* and *full* racial profiling?
3. Do you think profiling is an effective law-enforcement tool? If so, are its benefits worth its costs? Explain.
4. Should police ever be allowed to consider race when deciding whether to stop someone?

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4B: What Should Be Done About Profiling?

Overview

To find out more about racial profiling, some states have passed laws requiring police to collect data on the race and ethnicity of everyone they stop. Other states and the federal government are considering doing the same. Opponents of data collection support other measures such as police videotaping every traffic stop or police distributing their card to everyone they stop so that people can easily file complaints. In this activity, students role play advisers to a state governor who is considering introducing legislation on racial profiling.

Instructions

Divide the class into small groups.

Each group should:

- Discuss the problem of racial profiling and various proposals for addressing it.
- Decide which proposal, if any, to support. (Students may create their own proposal.)
- Prepare to report its decision and the reason for it back to the class.

Have the groups report back and discuss the various proposals. Conclude the activity by voting as a class on the proposals.

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4C: Responding to Disproportionate Minority Confinement

Focus Question

Should Illinois be compelled by the federal government to justify any over-representation of minorities at every stage of their juvenile justice systems or lose federal funding for its youth programs?

Activity

Distribute to each student 4D, "Juvenile Justice: Current Trends and Controversies." Ask everyone in pairs or small groups. Have groups report out to check for understanding.

Explain that the policy above is one proposed response to the problem of disproportionate minority confinement among juveniles.

Distribute 1B, "G R A D E." Ask students, in teams or in pairs, to assess the policy based on their reading of "The Color of Justice" and using G R A D E. Ask groups to report out on the different components of the grade instrument.

To conclude, have the class divide into supporters and opponents of the policy. Ask each group to create a report (not more than 250 words) of recommendations on the proposal. The class report will include both majority and minority recommendations and not exceed 500 words.

Over the years, reformers have focused on different issues in the juvenile justice system. During the 1960s and early 1970s, advocates pushed for due-process rights for juveniles. The U.S. Supreme Court responded with its Gault decision, which declared juveniles did have these rights. Subsequent court decisions and much state legislation have further defined juveniles' rights.

Beginning in the mid-1970s, reformers turned their focus on detention issues, particularly on restricting who could be in secure lockups. The Juvenile Justice and Delinquency Act of 1974 and its subsequent amendments achieved two major reforms of detention. It outlawed placing status offenders in secure detention, and it mandated separate facilities for adults and juveniles.

From the late 1970s to the present, the public in many states has called for getting tough on juvenile offenders. Some jurisdictions have resisted. Many states, however, have locked up juveniles in record numbers. Even in periods when the juvenile arrest rate for violent crimes dropped, the incarceration rate climbed. In the wake of highly publicized, violent juvenile crimes, many have called for even harsher sentences on juveniles. Princeton Professor John Dilluio once warned of a "rising wave of superpredators," caused by the growing teen population. Shay Bilchik, former head of the Office of Juvenile Justice and Delinquency Prevention, dismissed the idea of a growing number of superpredators. "For starters, only about one-half of 1 percent of juveniles ages 10 to 17 were arrested for a violent crime last year, and of all juvenile offenders, just 6 to 8 percent are serious, violent, or chronic offenders. So to talk of a generation of superpredators is not only false but unfair." Bilchik and others believe that getting tough has not and will not prevent violent crimes. They urge a return to the traditional model of rehabilitation for juvenile offenders.

The high detention rates have given rise to another controversy. Today, the overwhelming majority of juveniles in detention are minorities. Although African-Americans constitute only 15 percent of juveniles aged 10–17, they make up about 40 percent of the juveniles in custody. Only 37 percent of those in custody are white. Blacks do not commit more crimes than whites. The number of whites arrested far surpasses the number of blacks arrested. But as they make their way through the juvenile justice system, blacks tend to stay in the system and end up in custody. Whites tend to get out of the system and not be placed in custody. In fact, minority youth make up almost 70 percent of those in secure detention.

So the controversy arises: Does the juvenile justice system unfairly discriminate against minorities, particularly African-American youths?

Many experts believe that racial discrimination does not cause black youth to remain longer in the system. They point to two separate studies which have shown that black judges are more likely than white judges to keep a black juvenile in custody. They believe that social class rather than race explains why blacks stay in the system. Most of the blacks caught in the system come from poor inner-city neighborhoods. Most of the whites come from a middle-class background. If a middle-class white juvenile gets into trouble, the parents may get a lawyer and a psychologist to help. They will come to court with a plan of action. On the other hand, an inner-city juvenile may only have an overworked public defender, who probably will meet the juvenile just before the hearing. This juvenile has limited access to social services, community agencies, or psychologists. And the juvenile's neighborhood may be filled with gangs and drug traffickers. What is the best interest of each child? Given each juvenile's resources, a judge might find it better to let the middle-class juvenile stay at home and better to send the inner-city offender to a detention facility that offers some social services. So social class rather than race may explain the different treatment of whites and blacks.

Other experts disagree. They say that while class may account for some of the disparity, racism also plays a role. The juvenile justice system allows decision makers wide discretion at every stage of the juvenile justice process. Racism, they argue, can easily creep into such a system.

The Office of Juvenile Justice and Delinquency Prevention commissioned a project to examine all the existing research about race in the juvenile justice system. In 1992, the project issued a report concluding that "there is substantial support for the statement that there are race effects in operation within the juvenile justice system, both direct and indirect in nature." By "race effects," the project meant that race explains why blacks remain in the system.

In 1989, Congress amended the Juvenile Justice and Delinquency Act. It required states to examine why so many minorities were in their lockups. States must justify any over-representation of minorities at every stage of their juvenile justice systems. In 1992, Congress further amended the act tying funding to compliance. Since then, about 40 states have started intervention and prevention programs aimed at helping youth who are at risk of engaging in crime.

For Discussion

Do you think the juvenile justice system should focus on rehabilitation or punishment? Why?

How do you account for the great number of minority youth in detention? What do you think can be done about it? Explain.

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Disproportionate Minority Confinement/Racial Profiling: Suggested Service Projects

Gather community members, community leaders, and members of the police department for a forum on racial profiling. What is the police department's policy on racial profiling? What are the community members thoughts and feelings about racial profiling? Do they think they are affected by racial profiling? In what way(s)? Can police and the community work together to address the issue? A few forum-format suggestions: Ask experts on racial profiling - on both sides of the issue - to make presentations; select a facilitator and a heterogeneous group of people to serve in a round table discussion; form groups to discuss racial profiling who will then report out in a whole group discussion.

Write a letter to your U.S. Representative and U.S. Senators in Washington or your State Representative and Senator in Springfield expressing your views about racial profiling and/or disproportionate minority confinement. Invite your legislator or a member of their staff to discuss the issue with your class.

Create a website on these and related issues for use by students. Send an email to the CRFC web master (coleman@crfc.org) so it can be linked to the 2001 Illinois Youth Summit web site.

Disproportionate Minority Confinement/Racial Profiling: Selected Internet Resources

"And Justice for Some"
Building Blocks for Youth
www.buildingblocksforyouth.org/justiceforsome

"The Color of Justice: An Analysis of Juvenile Adult Court Transfers in California"
Building Blocks for Youth
www.buildingblocksforyouth.org/colorofjustice

"Disproportionate Minority Confinement: 1997 Update"
Office of Juvenile Justice Delinquency Prevention , U.S. Department of Justice
www.ojjdp.ncjrs.org/pubs/correctionsum.html#170606

"Federal Disproportionate Minority Confinement Mandate: Impact on African American and Latino Youth"
Building Blocks for Youth
www.buildingblocksforyouth.org/dmc.htm

Federal Resources on Disproportionate Minority Confinement
National Center for Juvenile Research Services, U.S. Department of Justice
www.virlib.ncjrs.org/more.asp?category=51&subcategory=198

Illinois State Legislature
www.legis.state.il.us
Status and text of current Illinois legislation and laws

"Justice On Trial: Racial Disparities in the American Criminal Justice System"
Leadership Conference on Civil Rights
www.civilrights.org/policy_and_legislation/pl_issues/criminal_justice/cj_report/summary.html

Action Planning for Service Learning

Keep a planning notebook to help your group stay organized. Use the following questions and the **planning form** to guide your planning and implementation.

a. How much time do you have to complete the project?

b. What are your goals for the project? What will be accomplished? Who will benefit?

c. What will you do to complete the project successfully? Consider people, money, skills, and materials. Where and how will you get these?

d. What activities and tasks need to be done? Include descriptions of meetings, research, acquiring materials, making arrangements, getting permission, finding locations, etc.

e. What obstacles are you likely to face? How do you plan to overcome them?

f. Who is likely to support your project? How can you mobilize support to make sure your project works?

g. Using the planning form, put the activities in order of completion, determine what resources you need for each, assign a person to be in charge of each activity, and assign a date by which each activity is to be completed.

h. How will you evaluate the success of the project, both in terms of how your group worked together to achieve its goals and the actual results of the project? Make sure to plan to evaluate throughout the project not just at the end. These evaluation results will allow you to make mid-course changes to improve the project.

Service Project Planning Form

Task	Date to Be Completed	Resources Needed	How to Get Them	Who Will Work on This Task?

Community Service Project Reflection Log

WHAT HAPPENED IN THE PROJECT? **Describe the details of the experience.**

SO WHAT? **What did you learn from the experience? What difference did the project make?**

- What did you learn about yourself?

- In what ways did you help others?

- How has your community benefited?

- How did your service group work together? Is there anything you would do differently next time?

NOW WHAT? **How will you think or act in the future as a result of this experience?**

Adapted from: *Community Service Guide to Law-Related Education* (Seattle University School of Law's Institute for Citizen Education in the Law)

Supplemental Internet Resources

Law-Related Education

Constitutional Rights Foundation Chicago
www.crfc.org

American Bar Association Division of Public Education
http://www.abanet.org/publiced/youth.html

Center for Civic Education
http://www.civiced.org

Constitutional Rights Foundation (Los Angeles)
http://www.crf-usa.org

Phi Alpha Delta Public Service Center
http://www.pad.org/public.htm

Street Law, Inc.
http://www.streetlaw.org

Violence Prevention

Adolescence Directory On-Line
http://education.indiana.edu/cas/adol/adol.html

Center for the Prevention of School Violence
www.cpsv.org

Illinois Violence Prevention Authority
http://www.ivpa.org

National Alliance for Safe Schools
http://www.safeschools.org

National Resource Center for Safe Schools
http://www.safetyzone.org

Partnerships Against Violence
http://www.pavnet.org

Service Learning

Corporation for National Service
http://www.cns.gov

Learn and Serve America
Http://www2.whitehouse.gov/WH/EOP/cns/html/ls-1.html

National Service-Learning Cooperative Clearinghouse
http://www.nicsl.coled.umn.edu

National Youth Leadership Council
http://www.nylc.org

United States Government

FirstGov
www.firstgov.gov/

Office of Senator Durbin
www.senate.gov/~durbin

Office of Senator Fitzgerald
www.senate.gov/~fitzgerald

Offices of Illinois US Representatives
www.house.gov/**your representative's last name**
(e.g., www.house.gov/jackson for Representative Jackson)

Congress
www.congress.gov

The White House
http://www.whitehouse.gov/

Supreme Court of the United States
http://www.supremecourtus.gov/

Department of Justice
http://www.usdoj.gov

Illinois Government

Illinois State
www.state.il.us

Attorney General Ryan
www.ag.state.il.us/toc.htm

General Assembly
www.legislstate.il.us

For Information on Your State Representative
www.legis.state.il.us/bios/house_members.html

For Information on Your State Senator
www.legis.state.il.us/bios/house_members.html

Participating Schools

Chicago School for the Agricultural Sciences, Chicago
Clemente Community Academy, Chicago
Downers Grove North High School, Downers Grove
Downers Grove South High School, Downers Grove
Elgin High School, Elgin
Farragut High School, Chicago
Fenger High School, Chicago
Jones Academic Magnet High School, Chicago
Kenwood Academy, Chicago
Lake View High School, Chicago
Lincoln Park High School, Chicago
Mother Theodore Guerin High School, River Grove
Mundelein High School, Mundelein
Northside College Prep, Chicago
Julian High School, Chicago
Proviso West High School, Hillside
Roosevelt High School, Chicago
St. Ignatius College Prep, Chicago
Senn High School, Chicago
Steinmetz Academic Centre, Chicago
Streamwood High School, Streamwood
Thornton Township High School, Harvey
Washington High School, Chicago
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